

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DAVID DERRINGER,

Plaintiff,

v.

No. CIV 03-804 WJ/RHS

MICK CHAPEL, JENNIFER CHAPEL,
JOSEPH ALARID, CYNTHIA FRY,
LYNN PICKARD, THOMAS FITCH,
and LAW FIRM "COMEAU, MALDEGEN,
TEMPLEMAN & INDALL,"

Defendants.

MEMORANDUM OPINION AND ORDER DENYING SUMMARY JUDGMENT

THIS MATTER comes before the Court upon Plaintiff's Motion for Summary Judgment Against Defendants Mick Chapel and Jennifer Chapel, filed August 15, 2003 (**Doc. 23**). Plaintiff's motion is DENIED. It is yet another attempt to relitigate issues which were decided, appealed and affirmed in the state water rights case which ended with a jury verdict in favor of his neighbors, Mick and Jennifer Chapel. As such, these claims are precluded from review under the *Rooker-Feldman* doctrine.¹

Further, the Court recently granted a motion for summary judgment filed by the Chapels, dismissing all of Plaintiff's claims against these Defendants. (Doc. 36). Therefore, Plaintiff's motion is MOOT.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

¹ The *Rooker-Feldman* doctrine states that district courts do not have subject matter jurisdiction over challenges to state court decisions in judicial proceedings. District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 476 (1983).